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Attorneys for Plaintiff
IAN COOKE

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

IAN COOKE,

Plaintiff,

v.

ELAN FINANCIAL SERVICES,

Defendant.

Case No.: 3:13-cv-05906-LB

**STIPULATION TO EXTEND TIME
TO RESPOND TO INITIAL
COMPLAINT BY NOT MORE THAN
30 DAYS AND TO CONTINUE
INITIAL CASE MANAGEMENT
CONFERENCE (L.R. 6-2);
[PROPOSED ORDER]**

Complaint Served: February 7, 2014

Current Response Date:
February 28, 2014

New Response Date: March 17, 2014

Judge: Magistrate Judge Laurel Beeler
Complaint Filed: December 20, 2013

1 Defendant Elan Financial Services, by and through its attorneys of record, and Plaintiff, Ian
2 Cooke, by and through his attorneys of record, hereby stipulate and agree as follows:

3 WHEREAS, Plaintiff's Initial Complaint was filed on December 20, 2013, and served on
4 February 7, 2014;

5 WHEREAS, Defendant's response to Plaintiff's Initial Complaint is currently due on
6 February 28, 2014;

7 WHEREAS, Defendant has not requested or obtained any prior extensions to respond to the
8 Initial Complaint;

9 WHEREAS, pursuant to Local Rule 6-2, counsel for Defendant and counsel for Plaintiff
10 have agreed to extend the period of time in which Defendant may answer or otherwise plead in
11 response to Plaintiff's Initial Complaint by no later than March 17, 2014;

12 WHEREAS, at the time the complaint was filed on December 20, 2013, the Court issued an
13 Order Setting Initial Case Management Conference And ADR Deadlines, which set an Initial Case
14 Management Conference on March 20, 2014 and other pre-trial deadlines. The Order states that if
15 the Initial Case Management Conference is continued, the other pre-trial deadlines are continued
16 accordingly;

17 WHEREAS, the first pre-trial deadline in the Order is February 27, 2014 for the parties to
18 meet and confer regarding initial disclosures, early settlement, ADR process selection and discovery
19 plan and for the parties to file an ADR certification and related ADR filings and this date occurs
20 prior to the first potentially required response to the Initial Complaint by defendant which would be
21 February 28, 2014 at the earliest based upon the February 7, 2014 date of service of the summons
22 and Initial Complaint;

23 WHEREAS, pursuant to Local Rule 6-2, counsel for Defendant and counsel for Plaintiff
24 request that the date for the Initial Case Management Conference and all deadlines prior to that
25 conference be continued for a period of at least 30 days after the current date of March 20, 2014 or
26 such other time ordered by the Court so that there is an adequate period of time for Defendant to
27 respond to the Initial Complaint and for the parties to have an adequate opportunity to meet and
28 confer.

1 IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN COUNSEL AS
2 FOLLOWS:

3 Defendant shall have up to and including March 17, 2014 within which to move, answer, or
4 otherwise respond to Plaintiff's Initial Complaint.

5 Defendant and Plaintiff request that the date for the Initial Case Management Conference and
6 all deadlines prior to that conference be continued for a period of at least 30 days after the current
7 date of March 20, 2014 or such other time ordered by the Court so that there is an adequate period of
8 time for Defendant to respond to the Initial Complaint and for the parties to have an adequate
9 opportunity to meet and confer on the required issues.

10 IT IS SO STIPULATED

11
12 Dated: February 27, 2014

DUANE MORRIS LLP

14 By: /s/ Robert M. Fineman
Robert M. Fineman

15 Attorneys for Defendant
16 ELAN FINANCIAL SERVICES

17 Dated: February 27, 2014

HYDE & SWIGART

19 By: /s/ Crosby S. Connolly
20 Crosby S. Connolly
Robert L. Hyde

21 Attorneys for Plaintiff
22 IAN COOKE
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~~PROPOSED~~ ORDER

Pursuant to stipulation, and good cause appearing therefore, the Court ORDERS as follows:

The responsive pleading deadline for Elan Financial Services to the Initial Complaint is
March 17, 2014. at 11:00 a.m.

The Initial Case Management Conference is continued until April 24, 2014 and all
other deadlines in the December 20, 2013 Order Setting Initial Case Management Conference And
ADR Deadlines are also continued accordingly. A Joint Case Management Statement due
April 17, 2014

SO ORDERED.

Date: March 17, 2014



Magistrate Judge Laurel Beeler